

JOINT SESSION

Jan. 20, 2004
[H. Con. Res. 349]

Resolved by the House of Representatives (the Senate concurring),
That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 20, 2004, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Agreed to January 20, 2004.

EAST BOYNTON BEACH, FL, LITTLE LEAGUE
BASEBALL TEAM, 2003 U.S. CHAMPIONS—
RECOGNITION

Jan. 21, 2004
[H. Con. Res. 273]

Whereas the Little League team East Boynton Beach, Florida, captured the Florida State and Southeastern United States Regional Championship to reach the Little League World Series in historic Williamsport, Pennsylvania;

Whereas more than 7,000 teams from around the world competed for the honor of reaching the Little League World Series, East Boynton Beach was among the 8 final American teams;

Whereas, on August 23, 2003, after competing against the best young baseball players in the Nation, East Boynton Beach defeated the team from Saugus, Massachusetts, by a score of 9–2 in the final game, thus capturing the United States Little League Championship title;

Whereas the team spirit and sportsmanship displayed by its roster of East Boynton Beach players Michael Broad, Richie DeJesus, Cody Emerson, Jordan Irene, Patrick Mullen, R.J. Neal, Matt Overton, Ricky Sabatino, Benny Townsend, Devon Travis, and Andrew Weaver set a new standard of excellence through team spirit and sportsmanship;

Whereas the coaching staff led by manager Kenny Emerson, assisted by coaches Joe Irene and Tony Travis not only taught these young men how to play top grade baseball on the field, but also taught them the best way to conduct themselves off the field;

Whereas national television commentators, sportswriters, and other media from around the world singled out East Boynton Beach for the way they joyfully played the game and the respect and friendship they showed to all opposing players from around the world; and

Whereas these Little League ambassadors from East Boynton Beach have honored their parents, families, teachers, friends, and the City of Boynton Beach, Florida, by their actions, demonstrating not only the best of Little League tradition but the best of America: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That Congress—

(1) recognizes the achievement of the Little League team East Boynton Beach, Florida, in winning the United States Little League Championship and congratulates them on this

victory and on the example of excellence they set on the field and off the field;

(2) expresses its pride that the 2003 East Boynton Beach team represents America as the 2003 United States Little League Champions and invites the players, coaches, parents, and other league and city officials to the United States Capitol in Washington, D.C. to be honored;

(3) requests that the President recognize the national champions in their achievements; and

(4) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to the City of Boynton Beach and the Boynton Beach Little League office for appropriate display and to transmit an enrolled copy of this resolution to each player and coach of the East Boynton Beach Little League baseball team.

Agreed to January 21, 2004.

Feb. 10, 2004
[H. Con. Res. 354]

ENROLLMENT CORRECTIONS—S. 610

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (S. 610) to amend the provision of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) Amend the title so as to read: “An Act to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.”.

(2) In section 1, strike “2003” and insert “2004”.

(3) In section 3(b), strike “by adding at the end” and insert “by inserting after the item relating to chapter 97”.

Agreed to February 10, 2004.

Feb. 13, 2004
[H. Con. Res. 361]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Wednesday, February 11, 2004, it stand adjourned until 2 p.m. on Tuesday, February 24, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, February 12, 2004, Friday, February 13, 2004, or Saturday, February 14, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, February 23, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the

time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to February 13, 2004.

200TH BIRTH ANNIVERSARY OF CONSTANTINO
BRUMIDI—COMMEMORATION

Feb. 24, 2004
[H. Con. Res. 264]

Whereas Constantino Brumidi, born in Rome, Italy, on July 26, 1805, landed at New York Harbor on September 18, 1852, as a political exile, making his flight from Italy to the United States because of his love for liberty;

Whereas Constantino Brumidi's love for his adopted country led him to seek citizenship 2 years after his arrival;

Whereas in 1855, Constantino Brumidi began his artistic work in the Capitol, and spent more than 25 years of his life painting, decorating, and beautifying the corridors, committee rooms, and Rotunda of the Capitol;

Whereas Constantino Brumidi created many magnificent paintings and decorations, depicting the history, inventions, values, and ideals of the United States, thus enhancing the dignity and beauty of the Capitol and inspiring millions of visitors;

Whereas in 1865, Constantino Brumidi painted, in just 11 months, his masterpiece "The Apotheosis of Washington" in the canopy of the eye of the Capitol dome;

Whereas in 1871, Constantino Brumidi created the first tribute to an African-American in the Capitol when he placed the figure of Crispus Attucks at the center of his painting of the Boston Massacre;

Whereas in 1877, at the age of 72, Constantino Brumidi began his last work, the fresco frieze encircling the top of the Rotunda, and 3 years later fell from a slipped scaffolding and was never able to return to work;

Whereas Constantino Brumidi died as a result of this experience 3 months later in February 1880;

Whereas Constantino Brumidi has been called "the Michelangelo of the Capitol" by historians; and

Whereas the year 2005 marks the 200th anniversary of the birth of Constantino Brumidi, as well as the 150th anniversary of the beginning of his artistic career in the Capitol and the 125th anniversary of his death: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the President is authorized and requested to issue a proclamation commemorating the 200th anniversary of the birth of Constantino Brumidi and calling upon the people of the United

States, State and local governments, and interested organizations to commemorate this anniversary with appropriate ceremonies, activities, and programs.

Agreed to February 24, 2004.

Feb. 24, 2004
[H. Con. Res. 358]

**“HISTORY OF THE UNITED STATES CAPITOL”—
HOUSE PRINT**

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF PRINTING.

(a) IN GENERAL.—There shall be printed as a House document the book entitled “History of the United States Capitol” by Glenn Brown, as prepared under the auspices of the Architect of the Capitol with support from the United States Capitol Preservation Commission and the United States Capitol Historical Society.

(b) SPECIFICATIONS.—The document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Clerk of the House of Representatives and the Secretary of the Senate.

SEC. 2. NUMBER OF COPIES.

In addition to the usual number, there shall be printed for the use of the House of Representatives and Senate the lesser of—

(1) 7,000 copies of the document described in section 1(a), to be allocated as determined jointly by the Clerk of the House of Representatives and the Secretary of the Senate; or

(2) such maximum number of copies of the document as does not have a total production and printing cost of more than \$182,000, with distribution to be allocated as described in paragraph (1).

Agreed to February 24, 2004.

Feb. 24, 2004
[H. Con. Res. 359]

**DAYS OF REMEMBRANCE OF HOLOCAUST
VICTIMS COMMEMORATION CEREMONY—
CAPITOL ROTUNDA AUTHORIZATION**

Resolved by the House of Representatives (the Senate concurring),
That the Rotunda of the Capitol is authorized to be used on April 22, 2004, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to February 24, 2004.

DOROTHY HEIGHT CONGRESSIONAL GOLD
MEDAL AWARD CEREMONY—CAPITOL ROTUNDA
AUTHORIZATION

Feb. 25, 2004
[H. Con. Res. 357]

Resolved by the House of Representatives (the Senate concurring),
That the Rotunda of the Capitol is authorized to be used on March 24, 2004, for a ceremony to award a Congressional Gold Medal to Dr. Dorothy Height. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to February 25, 2004.

UNIVERSITY OF DELAWARE MEN'S FOOTBALL
TEAM, 2003 NCAA DIVISION I-AA NATIONAL
CHAMPIONS—RECOGNITION

Mar. 9, 2004
[H. Con. Res. 355]

Whereas on Friday, December 19, 2003, the University of Delaware Blue Hens men's football team won its sixth national title;

Whereas the University of Delaware won the championship game by defeating the Colgate University 40–0;

Whereas the Blue Hens swept through the Division I-AA playoffs, outscoring opponents by a combined score 149–23 in victories over Southern Illinois, Northern Iowa, and Wofford;

Whereas the Blue Hens captured their seventh Atlantic 10 Football Conference title, were named winners of the Lambert Cup as the top team in the East for the 18th time and were named Eastern College Athletic Conference (ECAC) Team of the Year for the 10th time;

Whereas the University of Delaware team was led by co-captains Mike Adams and Jason Nerys and All-American quarterback Andy Hall;

Whereas the roster of the University of Delaware team also included Dominic Santoli, Germaine Bennett, G.J. Crescione, Roger Brown, Antwan Jenkins, David Boler, Brian Ingram, Justin Long, Ryan McDermond, Ryan Carty, T.J. DiMuzio, Zach Thomas, Terry Kelly, Brad Michael, Dave Camburn, Joe Bleymaier, Mike Weber, Ryan Trask, Brad Shushman, Sean Bleiler, Leon Clarke, Brent Steinmetz, Ben Cross, Lawrence Jones, Jamie Rotonda, Nicos Chivis, Lonnie Starks, Drew Kisner, Kyle Campbell, Jeremy Kametz, Jeffrey Robinson, Maguell Davis, Bryan Tingle, Lou Samba, Andy Snapp, Anthony Cinelli, Niquan Lee, John Nauss, Rashaad Woodard, John Mulhern, KeiAndre Hepburn, Kevin Pulley, Sidney Haugabrook, Dominic Madigan, Antoinie McClure, Jeffrey Thompson, Blake Anderson, Mark Moore, Craig Browne, Marquez Davis, Nick Iarrobino, Mike Buchman, Mondoe Davis, Andrew Wilson, Marco Kristen, George Potts, Mike Bingnear, Mark Ciavarella, Greg Benson, Brett Wharton, Brendon Morfe, Rich Beverley, Tom Parks, Chris Edwards, Scott Conley, Chris Korkuch, Trip DelCampo, Brian Sims, Jared Wray, Paul Thompson, Bobby Delacy, Joe Cordrey, Jesse O'Neill, Brian Jennings,

Vince Mumford, Michael Taylor, Steve Selk, Rick Lavelle, Richard Washington, Nat Bell, Chris Mooney, Shawn Johnson, Bubba Jespersen, Sean Sweeney, and Randall James;

Whereas second-year head coach K.C. Keeler enjoyed one of the most outstanding seasons in college football by setting a school record for wins in a season with a mark of 15–1;

Whereas Coach Keeler and his coaching staff, including Kirk Ciarrocca, Dave Cohen, Bryan Bossard, Kyle Flood, Paul Williams, Rob Neviaser, Rick Brown, Brian Ginn, Craig Cummings, Frank Law, Brandon Walker, Mike Marks, Russell Barbarino, Dr. Vincent Disabella, Keith Handling, Joan Couch, deserve much credit for the outstanding determination and accomplishments of their young team;

Whereas fans across the State of Delaware have supported the team over the course of the season and more than 6000 Delawareans traveled to Tennessee to watch the championship game;

Whereas the Blue Hen football program encompasses all the facets of university life, including growth of character, academic involvement, campus involvement, and graduation; and

Whereas the students, alumni, faculty, and supporters of the University of Delaware are to be congratulated for their commitment and pride in their national champion men's football team: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That the Congress—

(1) congratulates the University of Delaware men's football team for winning the 2003 National Collegiate Athletic Association Division I-AA football national championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff; and

(3) directs the Clerk of the House of Representatives to make available enrolled copies of this resolution to the University of Delaware for appropriate display and to transmit an enrolled copy of this resolution to each coach and member of the 2003 National Collegiate Athletic Association Division I-AA men's football national championship team.

Agreed to March 9, 2004.

Mar. 11, 2004
[S. Con. Res. 98]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring),
That when the Senate recesses or adjourns at the close of business on Thursday, March 11, or Friday, March 12, or Saturday, March 13, or Sunday, March 14, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until Monday, March 22, 2004, at 12 noon.

Agreed to March 11, 2004.

PRESIDENTIAL INAUGURATION—CAPITOL
ROTUNDA AUTHORIZATION

Mar. 16, 2004
[S. Con. Res. 93]

Resolved by the Senate (the House of Representatives concurring),

**SECTION 1. USE OF THE ROTUNDA OF THE CAPITOL BY THE JOINT
CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES.**

The rotunda of the United States Capitol is authorized to be used on January 20, 2005, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

Agreed to March 16, 2004.

JOINT CONGRESSIONAL COMMITTEE ON
INAUGURAL CEREMONIES—ESTABLISHMENT

Mar. 16, 2004
[S. Con. Res. 94]

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the “joint committee”), consisting of 3 Senators and 3 Members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and the Vice President-elect of the United States.

SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of the departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

Agreed to March 16, 2004.

ADJOURNMENT—HOUSE OF REPRESENTATIVES
AND SENATE

Apr. 5, 2004
[H. Con. Res. 404]

Resolved by the House of Representatives (the Senate concurring),
That when the House adjourns on the legislative day of Friday, April 2, 2004, it stand adjourned until 2 p.m. on Tuesday, April 20, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that

when the Senate recesses or adjourns on Wednesday, April 7, 2004, Thursday, April 8, 2004, or Friday, April 9, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, April 19, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to April 5, 2004.

Apr. 20, 2004
[S. Con. Res. 97]

THE GARDEN CLUB OF AMERICA, 91ST ANNUAL MEETING—COMMENDATION

Whereas The Garden Club of America is holding its 91st annual meeting in Washington, DC, April 24 through 27, 2004;

Whereas The Garden Club of America has 195 member clubs in 40 States and the District of Columbia, representing more than 17,000 members;

Whereas since its founding in 1913, The Garden Club of America has become a recognized leader in the fields of horticulture, conservation, historic preservation, and civic improvement, and an influential organization in the protection of America's environment; and

Whereas in our Nation's Capital, The Garden Club of America was instrumental in the founding of the National Arboretum, the development of the Archives of American Gardens at the Smithsonian Institution, and the creation and installation of the Butterfly Habitat Garden which now graces The National Mall at the National Museum of Natural History: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress commends The Garden Club of America for the many contributions it has made in our Nation's Capital and in communities across the United States, and sends its best wishes on the occasion of its 91st annual meeting in Washington, DC, April 24 through 27, 2004.

Agreed to April 20, 2004.

NATIONAL MILITARY APPRECIATION MONTH—
SUPPORT

Apr. 26, 2004
[H. Con. Res. 328]

Whereas the vigilance of the members of the Armed Forces has been instrumental to the preservation of the freedom, security, and prosperity enjoyed by the people of the United States;

Whereas the success of the Armed Forces depends on the dedicated service of its members, their families, and the civilian employees of the Department of Defense and the Coast Guard;

Whereas the role of the United States as a world leader requires a military force that is well-trained, well-equipped, and appropriately sized;

Whereas to maintain such a force, the youth of the United States must possess a commitment to military service sufficient to achieve the levels of recruitment and retention necessary to sustain the strength, vitality, and character of the Armed Forces;

Whereas to foster and sustain such a commitment it is vital for the youth of the United States to understand that the service provided by members of the Armed Forces is an honorable legacy that protects the freedoms enjoyed by citizens of the United States as well as citizens of many other nations;

Whereas the Federal Government has a responsibility to raise awareness of and respect for this aspect of the heritage of the United States and to encourage the people of the United States to dedicate themselves to the values and principles for which Americans have served and sacrificed throughout the history of the Nation;

Whereas service in the Armed Forces entails special hazards and demands extraordinary sacrifices from service members and their families;

Whereas the support of the families of service members enhances the effectiveness and capabilities of the Armed Forces;

Whereas the observance of events recognizing the contributions of the Armed Forces is a tangible and highly effective way of sustaining morale and improving quality of life for service members and their families;

Whereas on April 30, 1999, the Senate passed S. Res. 33 (106th Congress), entitled “Designating May 1999 as ‘National Military Appreciation Month’”, calling on the people of the United States, in a symbolic act of unity, to observe a National Military Appreciation Month in May 1999, to honor the current and former members of the Armed Forces, including those who have died in the pursuit of freedom and peace; and

Whereas it is important to emphasize to the people of the United States the relevance of the history and activities of the Armed Forces through an annual National Military Appreciation Month that includes associated local and national observances and activities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That Congress—

(1) supports the goals and objectives of a National Military Appreciation Month;

(2) urges the President to issue a proclamation calling on the people of the United States, all Federal departments and agencies, States, localities, organizations and media to annually observe a National Military Appreciation Month with appropriate ceremonies and activities; and

(3) urges the White House Commission on Remembrance, established by Congress to honor those who died in service to the United States and those who continue to serve the Nation, to work to support the goals and objectives of a National Military Appreciation Month.

Agreed to April 26, 2004.

Apr. 29, 2004
[H. Con. Res. 376]

SOAP BOX DERBY RACES—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (in this resolution referred to as the “Association”) shall be permitted to sponsor a public event, soap box derby races, on the Capitol Grounds on June 19, 2004, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol Grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

Agreed to April 29, 2004.

NATIONAL PEACE OFFICERS' MEMORIAL
SERVICE—CAPITOL GROUNDS AUTHORIZATION

May 12, 2004
[H. Con. Res. 388]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) **IN GENERAL.**—The National Fraternal Order of Police and its auxiliary (in this resolution referred to as the “sponsor”) shall be permitted to sponsor a public event, the 23rd annual National Peace Officers' Memorial Service (in this resolution jointly referred to as the “event”), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2003.

(b) **DATE OF EVENT.**—The event shall be held on May 15, 2004, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) **IN GENERAL.**—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

- (1) free of admission charge and open to the public; and
- (2) arranged not to interfere with the needs of Congress.

(b) **EXPENSES AND LIABILITIES.**—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to May 12, 2004.

2004 DISTRICT OF COLUMBIA SPECIAL OLYMPICS
LAW ENFORCEMENT TORCH RUN—CAPITOL
GROUNDS AUTHORIZATION

May 12, 2004
[H. Con. Res. 389]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR D.C. SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN.

On June 4, 2004, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate, the 2004 District of

Columbia Special Olympics Law Enforcement Torch Run (in this resolution referred to as the “event”) may be run through the Capitol Grounds as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such actions as may be necessary to carry out the event.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

Agreed to May 12, 2004.

May 19, 2004
[H. Con. Res. 414]

**BROWN V. BOARD OF EDUCATION—50TH
ANNIVERSARY CELEBRATION**

Whereas on May 17, 1954, the United States Supreme Court announced in *Brown v. Board of Education* (347 U.S. 483) that, “in the field of education, the doctrine of ‘separate but equal’ has no place”;

Whereas the *Brown* decision overturned the precedent set in 1896 in *Plessy v. Ferguson* (163 U.S. 537), which had declared “separate but equal facilities” constitutional and allowed the continued segregation of public schools in the United States on the basis of race;

Whereas the *Brown* decision recognized as a matter of law that the segregation of public schools deprived students of the equal protection of the laws under the Fourteenth Amendment to the Constitution of the United States;

Whereas the *Brown* decision stood as a victory for plaintiff Linda Brown, an African American third grader who had been denied admission to an all white public school in Topeka, Kansas;

Whereas the *Brown* decision stood as a victory for those plaintiffs similarly situated to Linda Brown in the cases that were consolidated with *Brown*, which included *Briggs v. Elliot* (103 F. Supp. 920), *Davis v. County School Board* (103 F. Supp. 337), and *Gephardt v. Belton* (91 A.2d 137);

Whereas the *Brown* decision stood as a victory for those that had successfully dismantled school segregation years before *Brown* through legal challenges such as *Westminster School District v. Mendez* (161 F.2d 774), which ended segregation in schools in Orange County, California;

Whereas the *Brown* decision stands among all civil rights cases as a symbol of the Federal Government’s commitment to fulfill the promise of equality;

Whereas the Brown decision helped lead to the repeal of “Jim Crow” laws and the elimination of many of the severe restrictions placed on the freedom of African Americans;

Whereas the Brown decision helped lead to the enactment of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, religion, or national origin in workplaces and public establishments that have a connection to interstate commerce or are supported by the State;

Whereas the Brown decision helped lead to the enactment of the Voting Rights Act of 1965 which promotes every American’s right to participate in the political process;

Whereas the Brown decision helped lead to the enactment of the Fair Housing Act of 1968 that prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-relating transactions, on the basis of race, color, national origin, religion, sex, familial status, or disability; and

Whereas in 2004, the year marking the 50th anniversary of the Brown decision, inequalities evidenced at the time of such decision have not been completely eradicated: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That the Congress—

(1) recognizes and celebrates the 50th anniversary of the Brown v. Board of Education decision;

(2) encourages all Americans to recognize and celebrate the 50th anniversary of the Brown v. Board of Education decision; and

(3) renews its commitment to continuing and building on the legacy of Brown with a pledge to acknowledge and address the modern day disparities that remain.

Agreed to May 19, 2004.

NATIONAL TRANSPORTATION WEEK— RECOGNITION

May 20, 2004
[H. Con. Res. 420]

Whereas the United States transportation system is an extensive, inter-related public and private network of roads, airports, railroads, transit routes, waterways, terminals, ports, and pipelines;

Whereas millions of people and businesses rely on this expanding system to get to work, embark on vacations, conduct business, and ship goods within the United States and abroad;

Whereas this system links regions and connects small and large cities and urban and rural areas;

Whereas transportation contributes to economic activity and to a nation’s global competitiveness as a service, an industry, and an infrastructure;

Whereas the transportation sector accounts for 11 percent of the United States Gross Domestic Product;

Whereas the transportation sector employs over 11 million Americans;

Whereas the average household spends about 20 percent of its income on transportation, more than on any other expense except housing;

Whereas the President has proclaimed, by Executive order, May 16 through May 22, 2004, as National Transportation Week;

Whereas Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 120), designated the third Friday in May of each year as “National Defense Transportation Day” and, by joint resolution approved May 14, 1962 (36 U.S.C. 133), declared that the week during which that Friday falls be designated as “National Transportation Week”; and

Whereas National Transportation Week provides an opportunity for the transportation community to join together for greater awareness about the importance of transportation and for making youth aware of transportation-related careers: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That the 108th Congress—

(1) applauds the men and women who keep America moving;

(2) recognizes National Transportation Week by supporting the goals of that Week; and

(3) urges all Americans to become more aware of the benefits and contributions of transportation to the United States economy.

Agreed to May 20, 2004.

May 20, 2004
[H. Con. Res. 424]

UNITED STATES ARMED FORCES—RED POPPY COMMEMORATION

Whereas the red poppy was the first living plant that sprouted in the battlefields devastated by fighting during World War I;

Whereas red poppies grew abundantly in the trenches and craters of the war-torn battlefields in Northern France and Belgium;

Whereas during World War I, the bloom of red poppies each year and the coming of the warm weather brought hope to those still fighting in the trenches of France and Belgium;

Whereas in 1915, the red poppy inspired Canadian Colonel John McCrae to write the poem “In Flanders Fields” in remembrance of the thousands of soldiers who perished during the three battles of Ypres in Belgium;

Whereas in 1918, John McCrae’s poem inspired Moina Belle Michael of Athens, Georgia, to write her own poem entitled “We Shall Keep the Faith”, in which she promised to wear a red poppy to memorialize American soldiers killed in World War I, and later to raise millions of dollars to support and employ disabled American veterans of all wars;

Whereas on November 11, 1921, the first Poppy Day was held in the United Kingdom and was a national success;

Whereas the red poppy is a symbol of sacrifice throughout the world;

CONCURRENT RESOLUTIONS—MAY 21, 2004 118 STAT. 4051

Whereas the red poppy has been worn in the United States for more than 80 years as a way to remember those individuals who died fighting for freedom and democracy around the world and to raise money to help disabled veterans; and

Whereas in 2004, wearing a red poppy on Memorial Day is especially timely considering the sacrifices United States soldiers are making in Iraq and Afghanistan for freedom, democracy, and security: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors past and current members of the Armed Forces of the United States and their families by encouraging every American to wear a red poppy on Memorial Day as a sign of admiration and thanks to those individuals who died to preserve freedom and democracy in the United States.

Agreed to May 20, 2004.

ADJOURNMENT—HOUSE OF REPRESENTATIVES
AND SENATE

May 20, 2004
[H. Con. Res. 432]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 20, 2004, or Friday, May 21, 2004, it stand adjourned until 2 p.m. on Tuesday, June 1, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, May 20, 2004, Friday, May 21, 2004, or Saturday, May 22, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, June 1, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to May 20, 2004.

WORLD WAR II VETERANS AND MEMORIAL—
RECOGNITION AND CELEBRATION

May 21, 2004
[H. Con. Res. 409]

Whereas the National World War II Memorial on the National Mall in the District of Columbia will be the first national memorial to both recognize the courage, bravery, and unselfish dedication of the members of the United States Armed Forces who served in World War II and those who served on the home

front and acknowledge the commitment and achievement of the entire American people in that conflict;

Whereas World War II veteran Roger Durbin of Berkey, Ohio, first proposed the construction of a National World War II memorial, and Congresswoman Marcy Kaptur of Ohio introduced legislation to establish the memorial in the District of Columbia to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that war;

Whereas, in Public Law 103–32 (107 Stat. 90; 40 U.S.C. 8903 note), approved May 25, 1993, Congress authorized the American Battle Monuments Commission, an independent Federal agency, to design and construct the memorial;

Whereas the location selected as the site for the memorial, the Rainbow Pool site on the National Mall at the east end of the Reflecting Pool between the Lincoln Memorial and the Washington Monument, was dedicated on November 11, 1995;

Whereas, in an open competition, the American Battle Monuments Commission selected Friedrich St. Florian as the design architect for the memorial, and his final architectural design was approved by the Commission of Fine Arts, the National Capital Planning Commission, and the Secretary of the Interior;

Whereas the late Representative Bob Stump of Arizona, who served as Chairman of the Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives, sponsored several measures to expedite the funding and construction of the memorial, which were enacted as sections 601, 602, and 603 of Public Law 106–117 and Public Law 107–11;

Whereas after 8 years of planning, 6 years of public deliberation, and 4 years of fund raising, construction began on the memorial in September 2001;

Whereas the memorial would not have been possible without the efforts and dedication of National Chairman Senator Robert J. Dole and National Co-Chairman Frederick W. Smith, who were instrumental in raising over \$194,000,000 for the construction of the memorial;

Whereas these generous contributions came from hundreds of thousands of individual Americans, as well as corporations, foundations, veterans groups, fraternal and professional organizations, States, communities, and schools;

Whereas actor Tom Hanks, the Advertising Council, and the History Channel played a key role in increasing public awareness of the heroic achievements of American World War II veterans and the war effort and in raising support for the memorial;

Whereas President George W. Bush will formally dedicate the memorial on May 29, 2004;

Whereas the memorial will be a monument to the selfless sacrifice and undaunted courage of the members of the United States Armed Forces who served in World War II and a place of remembrance to honor the more than 400,000 American servicemen and servicewomen who died in that conflict defending the United States; and

Whereas the memorial will be a source of inspiration for current and future generations of Americans, giving visitors to the memorial a new appreciation for the accomplishments of America's World War II generation, which united in the quest to free the world from tyranny: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes with humble gratitude the more than 16,000,000 veterans who served in the United States Armed Forces during World War II and the Americans who supported the war effort on the home front and celebrates the completion of the National World War II Memorial on the National Mall in the District of Columbia.

Agreed to May 21, 2004.

NATIONAL WORLD WAR II MEMORIAL
DEDICATION—CAPITOL GROUNDS
AUTHORIZATION

May 21, 2004
[H. Con. Res. 423]

Resolved by the House of Representatives (the Senate concurring),

**SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR
NATIONAL WORLD WAR II MEMORIAL DEDICATION.**

The Capitol Grounds may be used for a public event providing additional space in conjunction with the dedication of the National World War II Memorial on May 29, 2004, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Architect of the Capitol is authorized to erect on the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 5104(c); 60 Stat. 718), concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other

118 STAT. 4054 CONCURRENT RESOLUTIONS—JUNE 9, 2004

restrictions applicable to the Capitol Grounds, with respect to the event to be carried out under this resolution.

Agreed to May 21, 2004.

June 9, 2004
[S. Con. Res. 115]

RONALD WILSON REAGAN, LYING IN STATE—
CAPITOL ROTUNDA AUTHORIZATION

Resolved by the Senate (the House of Representatives concurring), That in recognition of the long and distinguished service rendered to the Nation and to the world, by the late Ronald Wilson Reagan, the 40th President of the United States, his remains be permitted to lie in state in the rotunda of the Capitol from June 9 until June 11, 2004, and the Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take all necessary steps for the accomplishment of that purpose.

Agreed to June 9, 2004.

June 9, 2004
[S. Con. Res. 116]

ADJOURNMENT—SENATE AND HOUSE OF
REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on Wednesday, June 9, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 14, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Wednesday, June 9, 2004, it stand adjourned until 12:30 p.m. on Monday, June 14, 2004, for morning-hour debate, or until the time of any reassembly pursuant to section 2 or this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to June 9, 2004.

June 21, 2004
[H. Con. Res. 458]

ENROLLMENT CORRECTION—S. 2238

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 2238) to amend the National

CONCURRENT RESOLUTIONS—JULY 12, 2004 118 STAT. 4055

Flood Insurance Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made, the Secretary of the Senate shall strike “Blumenaur” each place such term appears and insert “Blumenauer”.

Agreed to June 21, 2004.

ADJOURNMENT—SENATE AND HOUSE OF
REPRESENTATIVES

June 25, 2004
[S. Con. Res. 120]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, June 24, 2004, through Monday, June 28, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, July 6, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Thursday, June 24, 2004, or Friday, June 25, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Tuesday, July 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to June 25, 2004.

MARSHALL ISLANDS CONSTITUTION—25TH
ANNIVERSARY RECOGNITION

July 12, 2004
[H. Con. Res. 410]

Whereas the Marshall Islands were ruled under a succession of colonial regimes, including under Spanish and German rule, followed in the 20th century by Japanese rule under the League of Nations system for governance of territories;

Whereas military activities of Imperial Japan based in the Marshall Islands before and during World War II established the strategic importance of the Marshall Islands in the Pacific;

Whereas the Marshall Islands were liberated from Japanese military occupation in some of the most horrific battles of World War II, during which brave Marshallese people risked their lives to aid the Armed Forces of the United States and its allies;

Whereas in 1947 Congress approved a trusteeship agreement with the United Nations Security Council under which the United States became the administering power with plenary powers of government in the Marshall Islands;

Whereas during the United Nations trusteeship period the United States fulfilled its commitment to promote the progress of the Marshall Islands toward democratic self-government and self-determination, leading to the establishment of local self-government that culminated in a constitutional convention in which delegates representing the people of the Marshall Islands proposed that they be constituted as a self-governing nation;

Whereas in accordance with the enabling measures adopted by the United States as administering power of the Marshall Islands, which encouraged and fully supported the emergence of the Marshall Islands as a duly constituted nation based on the freely expressed will of the people, in 1979 the people of the Marshall Islands adopted their own constitution and subsequently declared their form of government to be a republic;

Whereas the Constitution of the Republic of the Marshall Islands established a parliamentary governmental system with separation of powers and a “Bill of Rights,” guaranteeing democracy and freedom for the Marshallese people based on the rule of law, limited government, and individual liberty;

Whereas the United States and the duly constituted Government of the Republic of the Marshall Islands adopted a Compact of Free Association to define government-to-government relations between the United States and the Marshall Islands as two sovereign nations under mutually agreed terms upon termination of the United Nations trusteeship for the Marshall Islands;

Whereas the promulgation of a national constitution made possible the termination of the United Nations trusteeship in 1986 and the emergence of the Republic of the Marshall Islands as a sovereign nation in free association with the United States under the Compact of Free Association, forming an alliance that preserves the close and special political, social, economic, and military relationship between the two countries that developed during the trusteeship period;

Whereas the United States has no closer alliance with any nation or group of nations than it does with the Republic of the Marshall Islands under the Compact of Free Association, which continues the strategic partnership and role of the Marshall Islands in United States strategic programs based in the Marshall Islands, which began at the end of World War II and has continued under the trusteeship and Compact to promote the mutual security of the United States and the Marshall Islands;

Whereas the Republic of the Marshall Islands is a model for transition of formerly non-self-governing territory ravaged by war to a sovereign political status as a stable democracy, a success story for institution building and recovery from conflict not only for the Pacific region but throughout the world;

Whereas in light of the shared history of the United States and the Republic of the Marshall Islands and special relations under the Compact of Free Association, it is entirely fitting for Congress to recognize the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands, recalling the importance of duly constituted self-government in the self-determination process leading to national sovereignty for the Marshall Islands; and

Whereas the Republic of the Marshall Islands has remained one of the staunchest allies of the United States during the cold war and the war on terrorism, and the voting record of the Republic of the Marshall Islands as a member state in the United Nations General Assembly is unparalleled by any other country, further demonstrating the shared commitment of the two nations to promote democracy and global peace: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That Congress—

(1) recognizes the 25th anniversary of the adoption of the Constitution of the Republic of the Marshall Islands; and

(2) recognizes the Republic of the Marshall Islands as a staunch ally of the United States, committed to principles of democracy and freedom for the Pacific region and throughout the world.

Agreed to July 12, 2004.

**MCGOVERN-DOLE INTERNATIONAL FOOD FOR
EDUCATION AND CHILD NUTRITION PROGRAM—
SUPPORT**

July 15, 2004
[S. Con. Res. 114]

Whereas there are more than 300,000,000 chronically hungry and malnourished children in the world;

Whereas more than half of these children go to school on an empty stomach, and almost as many do not attend school at all, but might if food were available;

Whereas the distribution of food in schools is one of the simplest and most effective strategies to fight hunger and malnourishment among children;

Whereas when school meals are offered to hungry or malnourished children, attendance rates increase significantly, particularly for girls;

Whereas the distribution of food in schools encourages better school attendance, thereby improving literacy rates and fighting poverty;

Whereas improvement in the education of girls is one of the most important factors in reducing child malnutrition in developing countries;

Whereas girls who attend schools tend to marry later in life and have fewer children, thereby helping them escape a life of poverty;

Whereas by improving literacy rates and increasing job opportunities, education addresses several of the root causes of terrorism;

Whereas the distribution of food in schools increases attendance of children who might otherwise be susceptible to recruitment by groups that offer them food in return for their attendance at extremist schools or participation in terrorist training camps;

Whereas the Global Food for Education Initiative pilot program, established in 2001, donated surplus United States agricultural commodities to the United Nations World Food Program and other recipients for distribution to nearly 7,000,000 hungry and malnourished children in 38 countries;

Whereas a recent Department of Agriculture evaluation found that the pilot program created measurable improvements in school attendance (particularly for girls), increased local employment

and economic activity, produced greater involvement in local infrastructure and community improvement projects, and increased participation by parents in the schools and in the education of their children;

Whereas the Farm Security and Rural Investment Act of 2002 (Public Law 107–171, 116 Stat. 134) replaced the pilot program with the McGovern-Dole International Food for Education and Child Nutrition Program, which was named after former Senators George McGovern and Robert Dole for their distinguished work to eradicate hunger and poverty around the world; and

Whereas the McGovern-Dole International Food for Education and Child Nutrition Program provides food to nearly 2,000,000 hungry or malnourished children in 21 countries: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),
That Congress—

(1) expresses its grave concern about the continuing problem of hunger and the desperate need to feed hungry and malnourished children around the world;

(2) recognizes that the global distribution of food in schools to children around the world increases attendance, particularly for girls, improves literacy rates, and increases job opportunities, thereby helping to fight poverty;

(3) recognizes that education of children around the world addresses several of the root causes of international terrorism;

(4) recognizes that the world will be safer and more promising for children as a result of better school attendance;

(5) expresses its gratitude to former Senators George McGovern and Robert Dole for supporting the distribution of food in schools around the world to children and for working to eradicate hunger and poverty around the world;

(6) commends the Department of Agriculture, the Agency for International Development, the Department of State, the United Nations World Food Program, private voluntary organizations, non-governmental organizations, and cooperatives for facilitating the distribution of food in schools around the world;

(7) expresses its continued support for the distribution of food in schools around the world;

(8) supports expansion of the McGovern-Dole International Food for Education and Child Nutrition Program; and

(9) requests the President to work with the United Nations and its member states to expand international contributions for the distribution of food in schools around the world.

Agreed to July 15, 2004.

July 22, 2004
[H. Con. Res. 308]

AMVETS—RECOGNITION

Whereas on July 23, 1947, AMVETS (American Veterans) was chartered by the United States as a not-for-profit corporation;

Whereas membership in AMVETS is open to veterans who have honorably served, or are serving, in the Armed Forces, including the Coast Guard, National Guard, and Reserves, during or since World War II;

Whereas the veterans of the Armed Forces have made great sacrifices to ensure the peace and security of the United States;

Whereas the members of AMVETS are dedicated to providing important services to their local communities and to their fellow veterans;

Whereas the motto of AMVETS is “We fought together, now let’s build together”;

Whereas the members of AMVETS consistently honor that motto through countless hours of patriotic service, including providing services to hospitalized veterans, assisting veterans with their problems regarding housing and employment, marching in parades, participating in color guards and burial details, and educating the Nation’s youth;

Whereas the war on terrorism has emphasized the sacrifices that veterans have made, and continue to make, for the benefit of the Nation;

Whereas AMVETS has designated July 23 as AMVETS National Charter Day; and

Whereas the goal of AMVETS National Charter Day is to raise public awareness regarding AMVETS’ commitment and service to veterans, the families of veterans, and the Nation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That Congress recognizes the members of AMVETS (American Veterans) for their service to the Nation and supports the goal of AMVETS National Charter Day.

Agreed to July 22, 2004.

ARMY MOTOR TRANSPORT BRIGADE, RED BALL EXPRESS—60TH ANNIVERSARY COMMEMORATION

July 22, 2004
[H. Con. Res. 439]

Whereas June 6, 2004, the 60th anniversary of the World War II D-Day invasion of Normandy, France, was observed by Americans with numerous commemorations of the sacrifices of those who fought to preserve the liberty and freedom of the people of the United States;

Whereas commemoration of those sacrifices and the recollection of those who served should include all who served, including those who performed critical logistics functions;

Whereas after the breakout from the beachheads at Normandy following the D-Day landings, Allied forces began a rapid advance across France, with the result that advancing units in many cases began to outrun their supplies of fuel, food, and ammunition;

Whereas on August 21, 1944, in response to the need for resupply of rapidly advancing forces, the Army Motor Transportation Service created a trucking operation called the Red Ball Express which began operations on August 25, 1944;

Whereas the Red Ball Express was a massive convoy effort to speed supplies to the Allied armies advancing across France;

Whereas the convoy system stretched from Normandy to Paris and eventually to the front in the northeastern borderland of France;

Whereas by ensuring that United States and other Allied soldiers were properly resupplied, the Red Ball Express played a major role in the defeat of Nazi Germany;

Whereas members of the Red Ball Express persevered through arduous driving conditions and constant threats of ground and aerial ambushes and performed their duties with precision and efficiency;

Whereas the Red Ball Express was in operation for 82 days and, by the time Red Ball Express operations were concluded in November 1944, Red Ball Express truckers had delivered over 410,000 tons of fuel, ammunition, food, and other essential supplies for the Allied forces to succeed in Europe;

Whereas, during World War II, many commanders believed that African-Americans were not suitable for combat duties and relegated them to service, support, and supply missions;

Whereas the majority of Red Ball Express drivers were African-Americans;

Whereas the success of the Allied advance through France was made possible by the soldiers who drove the supply trucks; and

Whereas the members of the Army Motor Transport Brigade who participated in the Red Ball Express contributed unselfishly to the war effort despite the indignities and double standards that they endured: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress honors the members of the Army Motor Transport Brigade who during World War II served in the trucking operation known as the Red Ball Express for their service and contribution to the Allied advance following the D-Day invasion in Normandy, France.

Agreed to July 22, 2004.

July 22, 2004
[H. Con. Res. 479]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, July 22, 2004, or Friday, July 23, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, September 7, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on Thursday, July 22, 2004, Friday, July 23, 2004, or Saturday, July 24, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Tuesday, September 7, 2004, or at such other time on that day as may be specified by its Majority Leader or his designee in the motion

to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to July 22, 2004.

SUDAN—PROPOSED SUSPENSION FROM THE
UNITED NATIONS COMMISSION ON HUMAN
RIGHTS

Sept. 22, 2004
[S. Con. Res. 137]

Whereas in Darfur, Sudan, more than 30,000 innocent civilians have been murdered, more than 400 villages have been destroyed, more than 130,000 men, women, and children have been forced from their villages into neighboring countries, and more than 1,000,000 people have been internally displaced;

Whereas the United States Government has been, and remains as of September 2004, the largest contributor of assistance to the people of Darfur, having provided over \$200,000,000 in assistance, which constitutes more than 70 percent of the total assistance provided to that region;

Whereas the United States has pledged \$299,000,000 in humanitarian aid to Darfur through fiscal year 2005, as well as \$11,800,000 in support of the African Union mission in that region, and is likely to provide support in excess of those pledges;

Whereas United States citizens and private organizations, as well as the United States Government, have admirably worked, at great risk and through great effort, to ease suffering in Darfur, Sudan, and in eastern Chad;

Whereas based on credible reports, Congress determined in late July 2004 that acts of genocide were occurring in Darfur, Sudan, and that the Government of Sudan bears direct responsibility for many of those acts of genocide;

Whereas expressing its grave concern at the ongoing humanitarian crisis and widespread human rights violations in Darfur, including continued attacks on civilians that place thousands of lives at risk, the United Nations Security Council on July 30, 2004, unanimously adopted Security Council Resolution 1556, which called upon the Government of Sudan to fulfill immediately its obligations to facilitate humanitarian relief efforts, to take steps to disarm immediately the Janjaweed militias responsible for attacks on civilians and bring the perpetrators of such attacks to justice, and to cooperate with independent United Nations-sponsored investigations of human rights violations;

Whereas the Government of Sudan has failed to take credible steps to comply with the demands of the international community as expressed through the United Nations Security Council;

Whereas according to press reports, reports from nongovernmental organizations, first-hand accounts from refugees, and other sources, the Janjaweed attacks on the civilians of Darfur continue unabated as of September 2004;

Whereas there are credible reports from some of these same sources that the Government of Sudan is providing assistance to the Janjaweed militias and, in some cases, that Government of Sudan forces have participated directly in attacks on civilians;

Whereas the United States Government, after conducting more than 1,000 interviews with survivors and refugees, has determined that genocide has occurred in Darfur, that it may still be occurring, and that both the Janjaweed and the Government of Sudan bear responsibility for these acts;

Whereas the Secretary of State has determined that the attacks by the Government of Sudan and the Janjaweed on the non-Arab people of Darfur and their villages are based on race, not religion;

Whereas the United States has recently introduced a new resolution in the United Nations Security Council that calls for the Government of Sudan to cooperate fully with an expanded African Union force and for a cessation of Sudanese military flights over Darfur;

Whereas the introduced resolution also provides for international overflights of the Darfur region to monitor the situation on the ground and requires the United Nations Security Council to review the record of compliance of the Government of Sudan to determine whether the United Nations should impose sanctions on Sudan, including sanctions affecting the petroleum sector in that country;

Whereas the resolution also urges the Government of Sudan and the Sudanese People's Liberation Movement to conclude negotiations on a comprehensive peace accord and, most important, calls for a United Nations investigation into all violations of international humanitarian law and human rights law that have occurred in Darfur in order to ensure accountability;

Whereas the United Nations Security Council, in United Nations Security Council Resolution 1556, emphasized that the Government of Sudan bears primary responsibility for respecting human rights and protecting the people of Sudan;

Whereas United Nations Security Council Resolution 1556 calls upon the Government of Sudan to cooperate with the United Nations;

Whereas the United Nations Human Rights Commission, established in 1946 and given the responsibility of drafting the Universal Declaration of Human Rights, is responsible for promoting respect for and observance of, human rights and fundamental freedoms for all;

Whereas the Universal Declaration of Human Rights declares that all human beings are born free and equal in dignity and rights, that everyone is entitled to all the rights and freedoms set forth in the Declaration regardless of race, color, sex, language, religion, political or other opinion, or national or social origin, property, birth, or other status, that everyone has the right to life, liberty and security of person, that no one shall be held in slavery or servitude, and that no one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment;

Whereas the Convention on the Prevention and Punishment of Genocide, done at Paris on December 9, 1948 (hereafter in this resolution referred to as the "Genocide Convention"), delineates the criteria that constitute genocide and requires parties to prevent and punish genocide;

Whereas Sudan is a state party to the Genocide Convention and remains a member of the United Nations Commission on Human Rights;

Whereas the Secretary of State determined that, according to United States law, the Government of Sudan is a state sponsor of terrorism and has been since 1993 and therefore remains ineligible for United States foreign assistance;

Whereas due to the human rights situation in Darfur, it would be consistent with United States obligations under the Genocide Convention for the Secretary of State and the United States Permanent Representative to the United Nations to seek the immediate suspension of Sudan from the United Nations Commission on Human Rights and, in the event a formal investigation results in a determination by the United Nations that genocide has occurred in Darfur, the ultimate removal of Sudan from such Commission; and

Whereas it is a mockery of human rights as a universal principle, a challenge to the United Nations as an institution, and an affront to all responsible countries that embrace and promote human rights that a government under investigation by the United Nations for committing genocide against, and violating the human rights of, its own citizens sits in judgment of others as a member in good standing of the United Nations Commission on Human Rights: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

That Congress—

(1) recognizes and approves of the findings of the Secretary of State that genocide has occurred and may still be occurring in Darfur, Sudan, and that the Government of Sudan bears responsibility for such acts;

(2) supports the Secretary of State's call for a full and unfettered investigation by the United Nations into all violations of international humanitarian law and human rights law that have occurred in Darfur, with a view to ensuring accountability;

(3) supports the resolution introduced by the United States Government in the United Nations Security Council on September 9, 2004, with regard to the situation in Darfur;

(4) calls upon the Secretary of State and the United States Permanent Representative to the United Nations to take immediate steps to pursue the establishment of a formal United Nations investigation, under Article VIII of the Genocide Convention, to determine whether the actions of the Government of Sudan in Darfur constitute acts of genocide;

(5) calls upon the Secretary of State and the United States Permanent Representative to the United Nations to take immediate steps to pursue the immediate suspension of Sudan from the United Nations Commission on Human Rights;

(6) calls upon the Secretary of State and the United States Permanent Representative to the United Nations to take further steps to ensure that the suspension of Sudan from the United Nations Commission on Human Rights remains in effect unless and until the Government of Sudan meets all of its obligations, as determined by the United Nations Security Council, under United Nations Security Council Resolution 1556 of July 30, 2004, and any subsequent United Nations Security Council resolutions regarding this matter;

(7) calls upon the Secretary of State and the United States Permanent Representative to the United Nations to take steps to ensure that, in the event that the formal investigation of acts of genocide in Sudan results in a determination by the United Nations that genocide has occurred or is occurring in Darfur, the United States Government takes appropriate actions to ensure that Sudan is removed from the United Nations Human Rights Commission;

(8) calls upon the member states of the United Nations Commission on Human Rights to convene an immediate special session to consider the urgent and acute human rights situation in Sudan for the purpose of considering whether Sudan should be suspended from membership in such Commission; and

(9) expects the Secretary of State to report to Congress on progress made toward taking the actions and accomplishing the objectives outlined in this resolution not later than 60 days after the date on which Congress agrees to the resolution.

Agreed to September 22, 2004.

Sept. 27, 2004
[H. Con. Res. 161]

NORTH PLATTE CANTEEN, NEBRASKA— RECOGNITION

Whereas at the beginning of World War II residents of North Platte, Nebraska, received information that members of the Nebraska National Guard from the North Platte area would be traveling through the community of North Platte on a troop train en route to the west coast;

Whereas residents of the North Platte community met the troop train on December 17, 1941, with food and other gifts for the troops when they arrived at the Union Pacific train station;

Whereas although the troop train carried young men from Kansas instead of members of the Nebraska National Guard, the residents of North Platte presented the young men from Kansas with the food and other items that were donated;

Whereas Rae Wilson, of North Platte, proposed establishing the North Platte Canteen to the North Platte community so residents would greet every troop train that traveled through North Platte and provide the military troops with comforts from home on their way to serve their country during World War II;

Whereas on December 25, 1941, the North Platte Canteen began serving food and other items to the United States military troops traveling across the United States to either the east or west coast before being shipped overseas;

Whereas during World War II, the North Platte Canteen routinely greeted and served food to between 3,000 and 5,000, and up to a maximum of 8,000, uniformed personnel on a daily basis for an approximate total of 6,000,000 personnel from every corner of the Nation;

Whereas individuals from 125 communities in Nebraska, Colorado, and Kansas donated food and volunteered at the North Platte Canteen over its period of operation of approximately 5 years;

Whereas the North Platte Canteen operated strictly with volunteers from local communities, organizations, churches, schools, and other groups and received no Federal assistance for its operation;

Whereas the North Platte Canteen received \$137,000 in cash contributions from benefit dances, scrap-metal drives, school victory clubs, donation cans in local businesses, and relatives of servicemembers who traveled through the Canteen to help maintain the Canteen's operations over its period of operation;

Whereas the North Platte Canteen during one month alone served over 40,000 homemade cookies, 30,000 hard-boiled eggs, nearly 7,000 cup, loaf, and birthday cakes, and over 2,800 pounds of sandwich meat to serve to uniformed personnel;

Whereas a typical daily shopping list might include 175 loaves of bread, 100 pounds of meat, 15 pounds of cheese, 2 quarts of peanut butter, 45 pounds of coffee, 40 quarts of cream, and 500 half-pint bottles of milk;

Whereas the greatest contribution of the North Platte Canteen to the war effort was as a morale booster and a reminder to servicemembers of the American values and ideals for which they were fighting; and

Whereas the North Platte Canteen was honored and recognized by the United States military with the War Department's Meritorious Wartime Service Award: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That the Congress—

(1) recognizes the outstanding efforts of the individuals and communities involved with the North Platte Canteen that served the needs of 6,000,000 military personnel, who traveled through North Platte, Nebraska, on troop trains from December 25, 1941, to April 1, 1946, during World War II; and

(2) requests that the President issue a proclamation recognizing the gallant efforts of those who made enormous sacrifices to make the North Platte Canteen a success during World War II.

Agreed to September 27, 2004.

2012 OLYMPIC GAMES SITE COMPETITOR, NEW YORK CITY—CONGRESSIONAL SUPPORT

Sept. 28, 2004
[H. Con. Res. 475]

Whereas the Olympic Games further the cause of world peace and understanding;

Whereas the country hosting the Olympic Games performs an act of international goodwill;

Whereas if New York City were chosen to host the 2012 Olympic Games there would be a substantial local, regional, and national economic impact, which would include 7 years of international sports events, meetings, and related nationwide tourism activity;

Whereas the Olympic movement celebrates competition, fair play, and the pursuit of dreams;

Whereas the United States and, in particular, New York City celebrate these same ideals; and

Whereas New York City has never hosted the Olympic Games:
Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),
That Congress—

(1) encourages the International Olympic Committee to
choose New York City as the site of the 2012 Olympic Games;
and

(2) hopes that the United States will be selected as the
host country of the 2012 Olympic Games, and pledges its
cooperation and support for their successful fulfillment in the
highest Olympic tradition.

Agreed to September 28, 2004.

Sept. 30, 2004
[H. Con. Res. 501]

DUKE ELLINGTON, MUSICAL ACHIEVEMENTS— RECOGNITION

Whereas jazz music is America's classical music and is an art
form that is indigenous to the United States;

Whereas the influence of jazz has spread across the world and
jazz truly incorporates and transcends differences of nationality,
religion, language, culture, socioeconomic status, and race;

Whereas Edward Kennedy "Duke" Ellington, who was born on
April 29, 1899 in Washington, D.C., and died on May 24, 1974
in New York City, was one of the pioneers of jazz music;

Whereas Duke Ellington formed his first band in 1917;

Whereas over the course of his 50-year musical career, Duke
Ellington took jazz to the farthest corners of the world, performing
in Europe, the Soviet Union, Japan, and Australia during the
1960's on diplomatic tours sponsored by the Department of State;

Whereas among his numerous other public honors, Duke Ellington
was appointed to the National Council on the Arts in 1968,
received the President's Gold Medal in 1966 from President
Lyndon Johnson, and was awarded the Presidential Medal of
Freedom, the highest honor a civilian can receive in the United
States, in 1969;

Whereas Duke Ellington has also received many awards and honors
from private entities, including 13 GRAMMY Awards from the
National Academy of Recording Arts and Sciences over 40 years,
the Pied Piper Award from the American Society of Composers,
Authors, and Publishers in 1968, and honorary doctoral degrees
from 16 institutions;

Whereas after the death of Duke Ellington, Western High School
in Washington, D.C., was renamed the Duke Ellington School
of the Arts and is celebrating its 30th anniversary this year;

Whereas the House of Representatives has declared that jazz is
a rare and valuable national treasure that deserves attention,
support, and resources to ensure that it is preserved, understood,
and promulgated;

Whereas Washington, D.C., does not currently host its own jazz
festival;

Whereas Charles Fishman, who was Dizzy Gillespie's personal man-
ager and producer until his death and is highly regarded in

the jazz world, has established the Duke Ellington Jazz Festival, a non-profit organization which will produce an annual Duke Ellington Jazz Festival in Washington, D.C., beginning in 2005; Whereas Duke Ellington Jazz Festival will consist of events across Washington, D.C., over a number of days, most of which will be free of charge, and will culminate in 2 days of concerts on the National Mall;

Whereas the rich musical legacy, international character, and diverse community of Washington, D.C. make it the ideal city to host a world-class international jazz festival; and

Whereas the Duke Ellington Jazz Festival will soon become known as one of the leading jazz festivals in the world, showcasing the best in jazz music in the shadow of the United States Capitol: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) honors the life and work of Duke Ellington and his immortal contributions to American and world music;

(2) recognizes the Duke Ellington School of the Arts in Washington, D.C., on the occasion of its 30th anniversary; and

(3) supports the annual Duke Ellington Jazz Festival to be held in Washington, D.C., beginning in 2005.

Agreed to September 30, 2004.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM—“A TRIBUTE TO SURVIVORS” RECOGNITION

Oct. 4, 2004
[S. Con. Res. 76]

Whereas, in 1945, American soldiers and other Allied forces, defeated Nazi Germany, ending World War II in Europe and the systematic murder of Europe’s Jews and other targeted groups;

Whereas, 6,000,000 Jews were killed during the Holocaust, and after World War II hundreds of thousands of survivors immigrated to the United States, where in spite of their enormous suffering, they rebuilt their lives, and embraced and enriched their adopted homeland;

Whereas, in 1978, President Jimmy Carter created the President’s Commission on the Holocaust to make a recommendation regarding “the establishment . . . of an appropriate memorial to those who perished in the Holocaust”;

Whereas, President Carter said: “Out of our memory . . . of the Holocaust we must forge an unshakable oath with all civilized people that never again will the world stand silent, never again will the world . . . fail to act in time to prevent this terrible crime of genocide. . . . [W]e must harness the outrage of our own memories to stamp out oppression wherever it exists. We must understand that human rights and human dignity are indivisible.”;

Whereas, in 1979, the Commission recommended “a living memorial that will speak not only of the victims’ deaths but of their lives,

- a memorial that can transform the living by transmitting the legacy of the Holocaust”;
- Whereas, in 1980, the United States Congress unanimously passed legislation authorizing the creation of the United States Holocaust Memorial Museum as a “permanent living memorial” on Federal land in the Nation’s Capital;
- Whereas, in 1983, Vice President George Bush designated the Federal land on which the United States Holocaust Memorial Museum would be built;
- Whereas, Vice President Bush said: “Here we will learn that each of us bears responsibility for our actions and our failure to act. Here we will learn that we must intervene when we see evil arise. Here we will learn more about the moral compass by which we navigate our lives and by which countries navigate the future.”;
- Whereas, in 1985, Holocaust survivors participated in the groundbreaking ceremony at the site of the future United States Holocaust Memorial Museum;
- Whereas, in 1988, President Ronald Reagan dedicated the cornerstone of the United States Holocaust Memorial Museum;
- Whereas, President Reagan said: “We who did not go their way owe them this: We must make sure that their deaths have posthumous meaning. We must make sure that from now until the end of days all humankind stares this evil in the face . . . and only then can we be sure it will never arise again.”;
- Whereas, in 1992, replicas of 2 of the milk cans that hid the Oneg Shabbat archive under the Warsaw Ghetto were buried beneath the Museum’s Hall of Remembrance, with a Scroll of Remembrance signed by Holocaust survivors;
- Whereas, in 1993, President Bill Clinton opened the United States Holocaust Memorial Museum;
- Whereas, President Clinton said: “[T]his museum will touch the life of everyone who enters and leave everyone forever changed; a place of deep sadness and a sanctuary of bright hope; an ally of education against ignorance, of humility against arrogance, an investment in a secure future against whatever insanity lurks ahead. If this museum can mobilize morality, then those who have perished will thereby gain a measure of immortality.”;
- Whereas, in 2001, President George W. Bush delivered the keynote address at the first Days of Remembrance ceremony after he assumed office.
- Whereas, President Bush said: “When we remember the Holocaust and to whom it happened, we must also remember where it happened . . . The orders came from men who . . . had all the outward traits of cultured men, except for conscience. Their crimes showed the world that evil can slip in, and blend in, even amid the most civilized surroundings. In the end, only conscience can stop it. And moral discernment, decency, tolerance—these can never be assumed in any time, or any society. They must always be taught.”;
- Whereas, the United States Holocaust Memorial Museum has had more than 19,000,000 visitors in the first 10 years of its existence;
- Whereas, in 2003, the United States Holocaust Memorial Museum, on the occasion of its 10th Anniversary, wishes to pay tribute to America’s Holocaust survivors, who worked tirelessly to help build the Museum and whose committed support and involvement

continue to make the institution such an extraordinary memorial and a vital part of life in the United States; and
Whereas, the United States Holocaust Museum has a sacred obligation to preserve and transmit the history and lessons of the Holocaust and, together with the Holocaust survivors, must ensure that the legacy of the survivors is passed on to each new generation: Now, therefore, be it
Resolved by the Senate (the House of Representatives concurring),
That Congress—

(1) recognizes that November 2, 2003, shall be dedicated to “A Tribute to Survivors” at the United States Holocaust Memorial Museum and shall be devoted to honoring our Nation’s Holocaust survivors, as well as their liberators and rescuers, and their families;

(2) recognizes that on that day, the United States Holocaust Memorial Museum shall be devoted in its entirety to special programs about and for the survivors of the Holocaust;

(3) commends the United States Holocaust Memorial Museum for its first decade of education dedicated to the memory of the victims of the Holocaust;

(4) endeavors to continue to support the vital work of the United States Holocaust Memorial Museum; and

(5) requests that this resolution shall be duly recorded in the official records of the United States Holocaust Memorial Museum.

Agreed to October 4, 2004.

ENROLLMENT CORRECTION—H.R. 4200

Oct. 9, 2004
[H. Con. Res. 514]

Resolved by the House of Representatives (the Senate concurring),
That in the enrollment of the bill (H.R. 4200) to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, the Clerk of the House of Representatives shall make the following correction: in section 714(b), strike “Section 1974g(a)(2)(E)(i)” and insert “Section 1074g(a)(2)(E)(i)”.

Agreed to October 9, 2004.

ENROLLMENT CORRECTIONS—H.R. 5107

Oct. 9, 2004
[H. Con. Res. 519]

Resolved by the House of Representatives (the Senate concurring),
That in the enrollment of H.R. 5107 (the Justice for All Act of 2004), the Clerk of the House is hereby authorized and directed—

(1) in section 312(a), to insert “and title II” after “this title” each place that term appears;

(2) in each of paragraphs (2) and (3) of section 312(b), to insert “and title II” after “this title” each place that term appears;

(3) in section 312(b)(9), to strike “202” and insert “311”;

(4) in section 3600(a)(10)(A)(ii), as added by the amendment made by section 411(a), to insert “the” after “that”;

(5) in section 3600(a)(10)(B)(iii), as added by the amendment made by section 411(a), to insert “the” after “that”; and

(6) in section 421(e)(1)(B), to strike “representation” and insert “cases, except for individuals currently employed as prosecutors”.

Agreed to October 9, 2004.

Oct. 10, 2004
[H. Con. Res. 473]

PATRIOT DAY, SEPTEMBER 11—SUPPORT

Whereas, across the Nation and around the world, people of all ages and walks of life collectively witnessed an event of immense tragedy on September 11, 2001;

Whereas the events of that day instantly transformed many lives, some through personal loss, and many others through an unfamiliar sense of individual and national vulnerability;

Whereas an unprecedented, historic bonding of Americans arose from the collective shock, unifying the Nation in a sustained outpouring of national spirit, pride, selflessness, generosity, courage, and service;

Whereas, on that day and the immediate days that followed, many brave people heroically, tirelessly, and courageously participated in an extraordinarily difficult and dangerous rescue and recovery effort, in many cases voluntarily putting their own well being at risk;

Whereas September 11 will never and should never be just another day in the hearts and minds of all Americans;

Whereas the creation of memorials and monuments honoring the lives lost on September 11, as well as the efforts of those who participated in rescue, recovery, and voluntary service efforts, are necessary, proper, and fitting, but alone cannot fully capture the Nation’s desire to pay tribute in a meaningful way;

Whereas it is fitting and essential to establish a lasting, meaningful, and positive legacy of service for future generations as a tribute to those heroes of September 11;

Whereas many citizens wish to memorialize September 11 by engaging in personal and individual acts of community service or other giving activities as part of a national day of recognition and tribute; and

Whereas to lose this opportunity to bring people together for such an important endeavor would be a tragedy unto itself: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) it is the sense of Congress that it is appropriate to annually observe Patriot Day, September 11, with voluntary acts of service and compassion in honor of the lives lost on that day and in the spirit of selflessness and unity demonstrated by those who participated in the rescue, recovery, and voluntary service activities that day; and

(2) Congress urges the President to issue a proclamation calling upon the people of the United States to annually observe Patriot Day, September 11, with appropriate and personal expressions of voluntary service, charity, and compassion toward others.

Agreed to October 10, 2004.

MILITARY UNIT FAMILY SUPPORT
VOLUNTEERS—RECOGNITION

Oct. 10, 2004
[H. Con. Res. 486]

Whereas members of the Armed Forces and their families make significant sacrifices on behalf of the United States;

Whereas the military necessity of long deployments, frequent relocations, and infrequent family contact for members of the Armed Forces can be extremely challenging for members and their families;

Whereas, in response to these sacrifices and challenges, military unit family support volunteers from each branch of the Armed Forces have stepped forward to provide members of the Armed Forces and their families critical support while members are deployed;

Whereas military unit family support volunteers consist of the Army Family Readiness Volunteers, Navy Ombudsmen, Air Force Spouses Together and Ready volunteers (STARs), and Marine Key Volunteers (KVs);

Whereas military unit family support volunteers are generally spouses of members of the Armed Forces, and they provide assistance to military families while also enduring the challenges of military life;

Whereas military unit family support volunteers are motivated by the desire to improve the lives of other military families and to assist future generations;

Whereas military unit family support volunteers serve as liaisons between military commands and families, often serving as information conduits between the two groups;

Whereas military unit family support volunteers also connect the community with military families and local military installations, often leveraging donations and resources to the advantage of the military families; and

Whereas military unit family support volunteers provide their services on a voluntary basis, with little public recognition and no financial assistance, and often contribute their own resources to help other military families: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes and honors the military unit family support volunteers of each branch of the Armed Forces who selflessly devote their time, talent, and energy in service to the United States and commends military unit family support volunteers for

their dedicated contributions to the Armed Forces and the quality of life of members of the Armed Forces and their families.

Agreed to October 10, 2004.

Oct. 10, 2004
[H. Con. Res. 518]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Saturday, October 9, 2004, or Sunday, October 10, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, November 16, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Saturday, October 9, 2004, through Friday, October 15, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, November 15, 2004, or noon on Tuesday, November 16, 2004, as may be specified in the motion to recess or adjourn, or until such other time on either day as may be so specified, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to October 10, 2004.

Oct. 10, 2004
[S. Con. Res. 135]

RONALD WILSON REAGAN EULOGIES AND ENCOMIUMS—HOUSE PRINT

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. COMMEMORATIVE DOCUMENT AUTHORIZED.

A commemorative document in memory of the late President of the United States, Ronald Wilson Reagan, consisting of the eulogies and encomiums for Ronald Wilson Reagan, as expressed in the Senate and the House of Representatives, together with the texts of the state funeral ceremony at the United States Capitol Rotunda, the national funeral service held at the Washington National Cathedral, Washington, District of Columbia, and the interment ceremony at the Ronald Reagan Presidential Library, Simi Valley, California, shall be printed as a House document, with illustrations and suitable binding, under the direction of the Joint Committee on Printing.

SEC. 2. PRINTING OF DOCUMENT.

In addition to the usual number of copies printed, there shall be printed the lesser of—

(1) 32,500 copies of the commemorative document, of which 22,150 copies shall be for the use of the House of Representatives and 10,350 copies shall be for the use of the Senate; or

(2) such number of copies of the commemorative document that does not exceed a production and printing cost of \$1,000,000, with distribution of the copies to be allocated in the same proportion as described in paragraph (1).

Agreed to October 10, 2004.

ENROLLMENT CORRECTIONS—H.R. 1417

Nov. 17, 2004
[S. Con. Res. 145]

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of H.R. 1417, an Act to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, and for other purposes (the Copyright Royalty and Distribution Reform Act of 2004), the Clerk of the House of Representatives shall make the following corrections:

(1) In section 801 of title 17, United States Code, as amended by section 3(a) of H.R. 1417—

(A) in subsection (b)(7)(A)—

(i) in clause (i), strike “the other participants” and insert “participants”; and

(ii) in clause (ii), strike “any other participant described in subparagraph (A)” and insert “any participant described in clause (i)”;

(B) in subsection (b)(7)(B), strike “118(b) (2) or (3)” and insert “118(b)(2)”;

(C) in subsection (b)(8), insert a comma after “802(g)”;

and

(D) in subsection (c), strike “As provided in section 801(f)(1), the” and insert “The”.

(2) In section 802 of title 17, United States Code, as amended by section 3(a) of H.R. 1417—

(A) in subsection (a)(1), in the second sentence—

(i) strike “two Copyright” and insert “2 Copyright”;

and

(ii) strike “one shall” and insert “1 shall”;

(B) in subsection (c)—

(i) strike “appointed the Chief Copyright” and insert “appointed as the Chief Copyright”; and

(ii) strike “appointed Copyright” and insert “appointed as Copyright”; and

(C) in subsection (f)—

(i) in paragraph (1)(A)(ii), strike “14 days of receipt by the Register of Copyrights of all” and insert “14 days after the Register of Copyrights receives all”;

(ii) in paragraph (1)(B)(i)—

(I) strike “The Register shall” and insert “The Register of Copyrights shall”;

(II) strike “30 days of receipt by the Register of Copyrights of all” and insert “30 days after the Register of Copyrights receives all”; and

(III) in the last sentence, insert “to the Copyright Royalty Judges” after “is timely delivered”; (iii) in paragraph (1)(D)—

(I) insert after the second sentence the following: “The Register of Copyrights shall issue such written decision not later than 60 days after the date on which the final determination by the Copyright Royalty Judges is issued.”;

(II) in the following sentence, insert a comma after “such written decision”;

(III) strike “section 802(f)(1)(D)” and insert “this subparagraph”;

(IV) strike “notification and undertakes to consult with” and insert “notification to, and undertakes to consult with,”; and

(V) strike “fails within reasonable period after receipt of such notification” and insert “fails, within a reasonable period after receiving such notification.”.

(3) In section 803 of title 17, United States Code, as amended by section 3(a) of H.R. 1417—

(A) in subsection (a)(1), strike “Librarian of Congress, copyright arbitration royalty panels,” and insert “the Librarian of Congress,”;

(B) in subsection (b)—

(i) in paragraph (1), amend subparagraph (A)(i) to read as follows:

“(A) CALL FOR PETITIONS TO PARTICIPATE.—(i) The Copyright Royalty Judges shall cause to be published in the Federal Register notice of commencement of proceedings under this chapter, calling for the filing of petitions to participate in a proceeding under this chapter for the purpose of making the relevant determination under section 111, 112, 114, 115, 116, 118, 119, 1004, or 1007, as the case may be—

“(I) promptly upon a determination made under section 804(a);

“(II) by no later than January 5 of a year specified in paragraph (2) of section 804(b) for the commencement of proceedings;

“(III) by no later than January 5 of a year specified in subparagraph (A) or (B) of paragraph (3) of section 804(b) for the commencement of proceedings, or as otherwise provided in subparagraph (A) or (C) of such paragraph for the commencement of proceedings;

“(IV) as provided under section 804(b)(8); or

“(V) by no later than January 5 of a year specified in any other provision of section 804(b) for the filing of petitions for the commencement of proceedings, if a petition has not been filed by that date.”;

(ii) in clause (ii) of paragraph (1)(A)—

(I) strike “proceeding, under clause (i)” and insert “proceeding under clause (i)”; and

- (II) strike “section 803(b)(3)” and insert “paragraph (3)”;
- (iii) in paragraph (4)(A), strike “a participant in the proceeding asserts a claim in the amount of” and insert “the contested amount of a claim is”;
- (iv) in paragraph (6)(C)—
 - (I) in clause (iv), insert a comma after “orders”;
 - (II) in clause (v), strike “according to” and insert “in accordance with”; and
 - (III) in clause (vi)(I), strike “absent the discovery sought” and insert “, absent the discovery sought,”;
- (v) in clause (vii), strike “interrogatories and” and insert “interrogatories, and”; and
- (vi) in clause (ix)—
 - (I) in the first sentence, insert a comma after “give testimony” and insert a comma after “inspection of documents or tangible things”; and
 - (II) in the last sentence, strike “subparagraph” and insert “clause”;
- (C) in subsection (c)—
 - (i) in paragraph (1), strike “(b)(3)(C)(x)” and insert “(b)(6)(C)(x)”;
 - (ii) in paragraph (2)—
 - (I) in subparagraph (A)—
 - (aa) insert “in a proceeding” after “a participant”; and
 - (bb) strike “a proceeding is issued” and insert “the proceeding is issued”;
 - (II) in subparagraph (B), strike “their initial determination concerning rates and terms to the participants in the proceeding” and insert “to the participants in the proceeding their initial determination concerning rates and terms”; and
 - (III) in subparagraph (C), strike “except as provided under subsection (d)(1)” and insert “except that nonparticipation may give rise to the limitations with respect to judicial review provided for in subsection (d)(1)”;
 - (iii) in paragraph (6), strike “Following review of the determination by the Register of Copyrights under section 802(f)(1)(D)” and insert “By no later than the end of the 60-day period provided in section 802(f)(1)(D)”;
- (D) in the second sentence of subsection (d)(2)(A), strike “transmission service” and insert “licensee”.
- (4) In section 5(b)(1)—
 - (A) in subparagraph (A), strike “and” at the end;
 - (B) strike subparagraph (B); and
 - (C) redesignate subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.
- (5) In the amendment made by section 5(b)(1)(A)—
 - (A) strike “5-year periods” and insert “5-year period”;
 - and
 - (B) strike “such other periods” and insert “such other period”.

(6) Strike paragraph (3) of section 5(b) and insert the following:

(3) in paragraph (5), by striking “determination by a copyright arbitration royalty panel or decision by the Librarian of Congress” and inserting “decision by the Librarian of Congress or determination by the Copyright Royalty Judges”;

(7) In the amendment made by section 5(c)(1)(A)(i)—

(A) strike “5-year periods” and insert “the 5-year period”; and

(B) strike “different transitional periods are provided in section 804(b), or such periods” and insert “a different transitional period is provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period”.

(8) In the amendment made by section 5(c)(1)(B)(i), strike “in section 804(b)” and insert “under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004”.

(9) In the amendment made by section 5(c)(2)(A)—

(A) strike “5-year periods” and insert “the 5-year period”; and

(B) strike “different transitional periods are provided in section 804(b), or such periods” and insert “a different transitional period is provided under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004, or such other period”.

(10) In the amendment made by section 5(c)(2)(B)(i), strike “in section 804(b)” and insert “under section 6(b)(3) of the Copyright Royalty and Distribution Reform Act of 2004”.

(11) Strike paragraph (3) of section 5(c) and insert the following:

(3) in paragraph (3), by striking “determination by a copyright arbitration royalty panel or decision by the Librarian of Congress” and inserting “decision by the Librarian of Congress or determination by the Copyright Royalty Judges”; and

(12) In section 5(c)(4)(B), insert “of subparagraph (A) the following:” after “by adding after the first sentence”.

(13) In the amendment made by section 5(d)(3)(A), strike “during periods” and insert “during the period”.

(14) In section 5(d)(4)—

(A) strike “and” at the end of subparagraph (B);

(B) add “and” after the semicolon at the end of subparagraph (C); and

(C) add after subparagraph (C) the following:

(D) in the last sentence, by striking “Librarian of Congress” and inserting “Copyright Royalty Judges”.

(15) In the amendment made by section 5(d)(5)(A)(i), strike “, Copyright Royalty Judges, or a copyright arbitration royalty panel to the extent those determinations were accepted by the Librarian of Congress” and insert “or Copyright Royalty Judges”.

(16) In the amendment made by section 5(f)(1)(B)—

(A) strike “, a copyright arbitration royalty panel,”; and

(B) strike “to the extent that they were accepted by the Librarian of Congress,”.

(17) In section 5, insert the following after subsection (g) and redesignate succeeding subsections accordingly:

(h) RATEMAKING FOR SATELLITE CARRIERS.—Section 119(c) of title 17, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking “Librarian of Congress” and inserting “Copyright Royalty Judges”; and

(B) in subparagraph (C), by striking “Register of Copyrights shall prescribe” and inserting “Copyright Royalty Judges shall prescribe as provided in section 803(b)(6); and

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking “arbitration proceedings” and inserting “proceedings”; and

(ii) by striking “arbitration proceeding” and inserting “proceedings”; and

(B) in subparagraph (B)—

(i) by striking “copyright arbitration royalty panel appointed under chapter 8” and inserting “Copyright Royalty Judges”; and

(ii) by striking “panel shall base its decision” and inserting “Copyright Royalty Judges shall base their determination”; and

(C) in subparagraph (C)—

(i) in the heading, by striking “DECISION OF ARBITRATION PANEL OR ORDER OF LIBRARIAN” and inserting “DETERMINATION UNDER CHAPTER 8”; and

(ii) by striking clauses (i) and (ii) and inserting the following:

“(i) is made by the Copyright Royalty Judges pursuant to this paragraph and becomes final, or

“(ii) is made by the court on appeal under section 803(d)(3).”.

(18) In the first sentence of section 6(b)(1)—

(A) strike “date of enactment of this Act” and insert “effective date provided in subsection (a)”; and

(B) strike “such date of enactment” and insert “such effective date”.

(19) Strike paragraph (2) of section 6(b) and insert the following:

(2) CERTAIN ROYALTY RATE PROCEEDINGS.—Notwithstanding paragraph (1), the amendments made by this Act shall not affect proceedings to determine royalty rates pursuant to section 119(c) of title 17, United States Code, that are commenced before January 31, 2006.

Agreed to November 17, 2004.

NATIONAL CIVIC LEAGUE 2004 ALL-AMERICA CITY AWARD—HONOREES

Nov. 18, 2004
[H. Con. Res. 464]

Whereas the All-America City award is the oldest and most respected community recognition program in the Nation;

Whereas for 55 years the National Civic League has encouraged and recognized civic excellence by honoring communities of all

sizes where business, citizens, voluntary organizations, and governments work together to address critical issues;

Whereas the All-America City Award recognizes exemplary grassroots community-oriented problem-solving, and is given to communities that confront challenges and achieve results cooperatively; and

Whereas more than 4000 communities have competed and more than 500 communities have been named All-America Cities: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress honors the cities of Concord, North Carolina; Evansville, Indiana; Cottage Grove, Oregon; Spokane, Washington; Springfield, Ohio; Montevideo, Minnesota; Pembroke Pines, Florida; Stockton, California; Philippi, West Virginia; and Hidalgo, Texas, on receiving the National Civic League 2004 All-America City Award.

Agreed to November 18, 2004.

Nov. 19, 2004
[H. Con. Res. 524]

ENROLLMENT CORRECTIONS—H.R. 1350

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 1350) to reauthorize the Individuals with Disabilities Education Act, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) Modify section 674(c)(1)(D) of the Individuals with Disabilities Education Act, as amended by section 101 of the Individuals with Disabilities Education Improvement Act of 2004, by striking “and secondary schools” and inserting “, secondary schools, postsecondary schools, and graduate schools”.

(2) Modify section 612(a)(14) of the Individuals with Disabilities Education Act, as amended by section 101 of the Individuals with Disabilities Education Improvement Act of 2004, by—

(A) redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) QUALIFICATIONS FOR SPECIAL EDUCATION TEACHERS.—The qualifications described in subparagraph (A) shall ensure that each person employed as a special education teacher in the State who teaches elementary school, middle school, or secondary school is highly qualified by the deadline established in section 1119(a)(2) of the Elementary and Secondary Education Act of 1965.

Agreed to November 19, 2004.

NATIONAL VISITING NURSE ASSOCIATION
WEEK—SUPPORT

Nov. 19, 2004
[S. Con. Res. 8]

Whereas visiting nurse associations (“VNAs”) are nonprofit home health agencies that, for more than 120 years, have been united in their mission to provide cost-effective and compassionate home and community-based health care to individuals, regardless of the individuals’ condition or ability to pay for services;

Whereas there are approximately 500 visiting nurse associations, which employ more than 90,000 clinicians, provide health care to more than 4,000,000 people each year, and provide a critical safety net in communities by developing a network of community support services that enable individuals to live independently at home;

Whereas visiting nurse associations have historically served as primary public health care providers in their communities, and are today one of the largest providers of mass immunizations in the medicare program (delivering more than 2,500,000 influenza immunizations annually);

Whereas visiting nurse associations are often the home health providers of last resort, serving the most chronic of conditions (such as congestive heart failure, chronic obstructive pulmonary disease, AIDS, and quadriplegia) and individuals with the least ability to pay for services (more than 50 percent of all medicaid home health admissions are by visiting nurse associations);

Whereas any visiting nurse association budget surplus is reinvested in supporting the association’s mission through services, including charity care, adult day care centers, wellness clinics, Meals-on-Wheels, and immunization programs;

Whereas visiting nurse associations and other nonprofit home health agencies care for the highest percentage of terminally ill and bedridden patients;

Whereas thousands of visiting nurse association volunteers across the Nation devote time serving as individual agency board members, raising funds, visiting patients in their homes, assisting in wellness clinics, and delivering meals to patients;

Whereas the establishment of a National Visiting Nurse Association Week would increase public awareness of the charity-based missions of visiting nurse associations and of their ability to meet the needs of chronically ill and disabled individuals who prefer to live at home rather than in a nursing home, and would spotlight preventive health clinics, adult day care programs, and other customized wellness programs that meet local community needs; and

Whereas the second week of May 2005 is an appropriate week to establish as National Visiting Nurse Association Week: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

That it is the sense of Congress that there should be established a National Visiting Nurse Association Week.

Agreed to November 19, 2004.

Nov. 19, 2004
[S. Con. Res. 146]

ENROLLMENT CORRECTIONS—S. 150

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (S. 150) to extend the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act, the Secretary of the Senate shall make the following corrections:

(1) Amend subsection (a) of section 1104 of the Internet Tax Freedom Act (47 U.S.C. 151 note), as added by section 3 of the bill, to read as follows:

“(a) PRE-OCTOBER 1998 TAXES.—

“(1) IN GENERAL.—Section 1101(a) does not apply to a tax on Internet access that was generally imposed and actually enforced prior to October 1, 1998, if, before that date—

“(A) the tax was authorized by statute; and

“(B) either—

“(i) a provider of Internet access services had a reasonable opportunity to know, by virtue of a rule or other public proclamation made by the appropriate administrative agency of the State or political subdivision thereof, that such agency has interpreted and applied such tax to Internet access services; or

“(ii) a State or political subdivision thereof generally collected such tax on charges for Internet access.

“(2) TERMINATION.—

“(A) IN GENERAL.—Except as provided in subparagraph

(B), this subsection shall not apply after November 1, 2007.

“(B) STATE TELECOMMUNICATIONS SERVICE TAX.—

“(i) DATE FOR TERMINATION.—This subsection shall not apply after November 1, 2006, with respect to a State telecommunications service tax described in clause (ii).

“(ii) DESCRIPTION OF TAX.—A State telecommunications service tax referred to in subclause (i) is a State tax—

“(I) enacted by State law on or after October 1, 1991, and imposing a tax on telecommunications service; and

“(II) applied to Internet access through administrative code or regulation issued on or after December 1, 2002.”

(2) Insert after section 6 of the bill the following:

SEC. 6A. EXCEPTION FOR TEXAS MUNICIPAL ACCESS LINE FEE.

The Internet Tax Freedom Act (47 U.S.C. 151 note), as amended by section 6, is amended by adding at the end the following:

“SEC. 1109. EXCEPTION FOR TEXAS MUNICIPAL ACCESS LINE FEE.

“Nothing in this Act shall prohibit Texas or a political subdivision thereof from imposing or collecting the Texas municipal access line fee pursuant to Texas Local Govt. Code Ann. ch. 283 (Vernon 2005) and the definition of access line as determined by the Public Utility Commission of Texas in its ‘Order Adopting Amendments to Section 26.465 As Approved At The February 13, 2003 Public Hearing’, issued March 5, 2003, in Project No. 26412.”.

Agreed to November 19, 2004.

ADJOURNMENT—HOUSE OF REPRESENTATIVES
AND SENATENov. 24, 2004
[H. Con. Res. 529]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Wednesday, November 24, 2004, or on Saturday, November 27, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, December 6, 2004, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and when the Senate recesses or adjourns from Saturday, November 20, 2004, through Saturday, November 27, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, December 6, 2004, or Tuesday, December 7, 2004, or until such other time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until the time of reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

Agreed to November 24, 2004.

ENROLLMENT CORRECTIONS—H.R. 4818

Dec. 6, 2004
[H. Con. Res. 528]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes, the Clerk of the House of Representatives shall make the following corrections—

(1) in division H, strike section 643 and insert:

“SEC. 643. Section 653(j) of title 42, United States Code, is amended by adding at the end the following new paragraph:

“(7) INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN FEDERAL DEBT COLLECTION.—

“(A) FURNISHING OF INFORMATION BY THE SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall furnish to the Secretary, on such periodic basis as determined by the Secretary of the Treasury in consultation with the Secretary, information in the custody of the Secretary of the Treasury for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to persons—

“(i) who owe delinquent nontax debt to the United States; and

“(ii) whose debt has been referred to the Secretary of the Treasury in accordance with 31 U.S.C. 3711(g).

“(B) REQUIREMENT TO SEEK MINIMUM INFORMATION.—The Secretary of the Treasury shall seek information pursuant to this section only to the extent necessary to improve collection of the debt described in subparagraph (A).

“(C) DUTIES OF THE SECRETARY.—

“(i) INFORMATION DISCLOSURE.—The Secretary, in cooperation with the Secretary of the Treasury, shall

compare information in the National Directory of New Hires with information provided by the Secretary of the Treasury with respect to persons described in subparagraph (A) and shall disclose information in such Directory regarding such persons to the Secretary of the Treasury in accordance with this paragraph, for the purposes specified in this paragraph. Such comparison of information shall not be considered a matching program as defined in 5 U.S.C. 552a.

“(ii) CONDITION ON DISCLOSURE.—The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part. Support collection under section 466(b) of this title shall be given priority over collection of any delinquent Federal nontax debt against the same income.

“(D) USE OF INFORMATION BY THE SECRETARY OF THE TREASURY.—The Secretary of the Treasury may use information provided under this paragraph only for purposes of collecting the debt described in subparagraph (A).

“(E) DISCLOSURE OF INFORMATION BY THE SECRETARY OF THE TREASURY.—

“(i) PURPOSE OF DISCLOSURE.—The Secretary of the Treasury may make a disclosure under this subparagraph only for purposes of collecting the debt described in subparagraph (A).

“(ii) DISCLOSURES PERMITTED.—Subject to clauses (iii) and (iv), the Secretary of the Treasury may disclose information resulting from a data match pursuant to this paragraph only to the Attorney General in connection with collecting the debt described in subparagraph (A).

“(iii) CONDITIONS ON DISCLOSURE.—Disclosures under this subparagraph shall be—

“(I) made in accordance with data security and control policies established by the Secretary of the Treasury and approved by the Secretary;

“(II) subject to audit in a manner satisfactory to the Secretary; and

“(III) subject to the sanctions under subsection (l)(2).

“(iv) ADDITIONAL DISCLOSURES.—

“(I) DETERMINATION BY SECRETARIES.—The Secretary of the Treasury and the Secretary shall determine whether to permit disclosure of information under this paragraph to persons or entities described in subclause (II), based on an evaluation made by the Secretary of the Treasury (in consultation with and approved by the Secretary), of the costs and benefits of such disclosures and the adequacy of measures used to safeguard the security and confidentiality of information so disclosed.

“(II) PERMITTED PERSONS OR ENTITIES.—If the Secretary of the Treasury and the Secretary determine pursuant to subclause (I) that disclosures to additional persons or entities shall be permitted,

information under this paragraph may be disclosed by the Secretary of the Treasury, in connection with collecting the debt described in subparagraph (A), to a contractor or agent of either Secretary and to the Federal agency that referred such debt to the Secretary of the Treasury for collection, subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

‘(v) RESTRICTIONS ON REDISCLOSURE.—A person or entity to which information is disclosed under this subparagraph may use or disclose such information only as needed for collecting the debt described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

‘(F) REIMBURSEMENT OF HHS COSTS.—The Secretary of the Treasury shall reimburse the Secretary, in accordance with subsection (k)(3), for the costs incurred by the Secretary in furnishing the information requested under this paragraph. Any such costs paid by the Secretary of the Treasury shall be considered costs of implementing 31 U.S.C. 3711(g) in accordance with 31 U.S.C. 3711(g)(6) and may be paid from the account established pursuant to 31 U.S.C. 3711(g)(7).’;

(2) in section 122 of title I of division J, strike “0.83” and insert “0.80”; and

(3) strike section 222 of title II of division H.

Agreed to December 6, 2004.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Dec. 9, 2004
[H. Con. Res. 531]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on any legislative day from Tuesday, December 7, 2004, through Friday, December 10, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution; and that when the Senate adjourns on any day from Tuesday, December 7, 2004, through Saturday, December 11, 2004, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned sine die, or until the time of any reassembly pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate whenever, in their opinion, the public interest shall warrant it.

Agreed to December 9, 2004.